

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
1:21-MC-4**

**IN RE: EXEMPTION OF
ELECTRONIC
PUBLIC ACCESS FEES**

FILED
ASHEVILLE, N.C.

MAR 04 2021

U.S. DISTRICT COURT
W. DIST. OF N.C.

ORDER

This matter is before the Court upon application and request by Ms. Rebecca L. Fordon at the UCLA School of Law for exemption from the fees imposed by the Electronic Public Access fee schedule adopted by the Judicial Conference of the United States Courts.

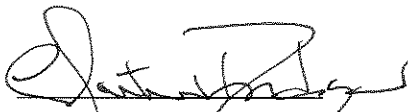
The Court finds that Ms. Fordon is assisting the Advisory Committee on Civil Rules on a proposal to make changes to Federal Rule of Civil Procedure 12 to resolve an apparent conflict between the Rule and certain statutes that specific an expedited time for answering civil complaints, of which the Freedom of Information Act (FOIA) statute is the primary example. 5 USC § 552(a)(4)(C). Ms. Fordon is assisting the Advisory Committee with the collection of data from all district courts and the requested exemption from Pacer fees is to conduct this research.

The Court finds that Ms. Fordon as a researcher for the Committee on Civil Rules and associated with the UCLA School of Law falls within the class of users listed in the fee schedule as being eligible for a fee exemption. Additionally, Ms. Fordon has demonstrated that an exemption is necessary to avoid unreasonable burdens and to promote public access to information. Accordingly, Ms. Fordon shall be exempt from the payment of fees for access via PACER to the electronic case files maintained in this court, to the extent such use is incurred during her research. Ms. Fordon shall not be exempt from the payment of fees incurred in connection with other uses of the PACER system in this court. Additionally, the following limitations apply:

1. This fee exemption applies only to Ms. Fordon and is valid only for the purposes stated above;
2. This fee exemption applies only to the electronic files of this court that are available through the PACER system;
3. By accepting this exemption Ms. Fordon agrees not to sell for profit any data obtained because of receiving this exemption;
4. Ms. Fordon is prohibited from transferring any data obtained because of receiving this exemption including redistribution via internet-based databases;
5. This exemption is authorized until November 30, 2021.

This exemption may be revoked at the discretion of the Court at any time. Pursuant to Judicial Conference policy, the clerk shall review the usage of the account(s) as part of the court financial audit process. The Clerk is DIRECTED to provide a copy of this Order to the PACER Service Center and to Ms. Fordon.

Dated this 4 day of March 2021.

A handwritten signature in black ink, appearing to read 'Martin Reidinger', is written over the printed name.

Martin Reidinger, Chief
U.S. District Judge